

JUN 20 2013

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

HABAKKUK E. BEN YOWEL,)	CASE NO. 7:13CV00223
)	
Plaintiff,)	
)	
v.)	FINAL ORDER
)	
)	
COMMONWEALTH OF VIRGINIA,)	
<u>ET AL.</u> ,)	By: James C. Turk
)	Senior United States District Judge
Defendant(s).)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the court's order (ECF No. 9) granting plaintiff permission to proceed in this action without prepayment of fees under 28 U.S.C. § 1915 is **VACATED**; plaintiff's application to proceed in forma pauperis is **DENIED**, and this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g); plaintiff's pending motions (ECF Nos. 7 & 8) are **DISMISSED** as moot; and this action is stricken from the active docket of the court.

ENTER: This 20th day of June, 2013.



Senior United States District Judge